

IN THE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

United States of America ex rel.)	
DARREN EVANS,)	
)	
Petitioner,)	
)	
v.)	No. 07 C 6937
)	
TERRY MCCANN,)	
Warden, Stateville Correctional Center,)	The Honorable
)	James B. Zagel,
Respondent.)	Judge Presiding.

MOTION FOR EXTENSION OF TIME

Respondent, TERRY MCCANN, hereby moves this Honorable Court for a thirty (30) day extension of time to answer or otherwise plead to the above-captioned petition for writ of habeas corpus, from February 11, 2008 to and including March 12, 2008. An affidavit in support of this motion is attached hereto.

February 4, 2008

Respectfully submitted,

LISA MADIGAN
Attorney General of Illinois

By: /s/ Sheri Wong
SHERI L. WONG, Bar # 6291090
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State of Illinois)
) ss.
County of Cook)

A F F I D A V I T

SHERI WONG, being first duly sworn upon oath, deposes and states as follows:

1. I am the Assistant Illinois Attorney General assigned to represent the respondent in this matter.

2. Respondent's answer or other responsive pleading to the instant federal habeas corpus petition currently is due to be filed on or before February 11, 2008.

3. Despite due diligence, respondent will be unable to file her answer or other responsive pleading on or before February 11, 2008.

4. Petitioner signed his amended habeas corpus petition on January 3 , 2008, and the petition was filed January 8, 2008.

5. On January 18, 2008, this Court ordered respondent to answer or otherwise plead to the petition within 20 days.

6. I was assigned to this matter on January 24, 2008 and immediately ordered the state court materials required by Rule 5 of the Rules Governing Section 2254 Cases and necessary to the drafting of an informed response to the instant petition, but I have not yet received all of these materials. Additional time also is required for the review of the response by supervisory attorneys.

7. This is respondent's first request for an extension of time in this matter.

8. This motion is not for purposes of delay, but is being made solely to ensure that respondent's interests are adequately protected.

10. Respondent respectfully requests that this Honorable Court grant his thirty (30) day motion for an extension of time to and including March 12, 2008, within which to file her answer or otherwise plead to the instant petition for writ of habeas corpus.

FURTHER AFFIANT SAYETH NOT.

By: /s/ Sheri Wong

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CERTIFICATE OF SERVICE

I hereby certify that on February 4, 2008, I presented the attached **MOTION FOR EXTENSION OF TIME and AFFIDAVIT** to the Clerk of the United States District Court for the Northern District of Illinois, using the CM/ECF system, and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participant:

Darren Evans, B61256
Stateville Correctional Center
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